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State of Utah

DEPARTMENT OF NATURAL RESOURCES

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Executive Director

Division of Oil, Gas and Mining

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Division Director

March 22, 2011

Brad Jones
Jones Landscaping Material
2097 Meridies Drive
South Jordan, Utah 84095

Subject: Deficient Application for Transfer of Notice of Intention, Wah Wah Slate and Flagstone, Drumbeat #1,2,3,4, S/023/0089, Juab County., Utah

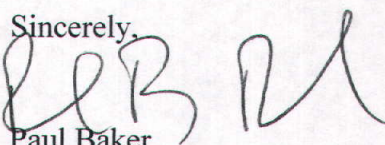
Dear: Mr. Jones

On February 3, 2011, the Division received an application to transfer the Notice of Intention to Commence Small Mining Operations (NOI) for the Drumbeat # 1, 2, 3, 4 mine from Wah Wah Slate and Flagstone to Jones Landscaping Material. The following documents or changes to the NOI are needed before the transfer can be approved.

1. Please submit a signed Reclamation Contract (Form MR-RC) (enclosed) and reclamation surety in the amount of \$11,900.00. Please contact the bonding coordinator, Penny Berry at (801) 538-5291 or bondcoordinator@utah.gov to obtain the appropriate bond forms.
2. There are several problems with the updated NOI submitted with the application.
 - The name of the mine is Drumbeat # 1, 2, 3, 4.
 - The name of the legal entity is listed as Bradley Jones but the type of business is listed as a corporation. The corporate name is Jones Landscaping and Materials Inc. Please either use the corporate name or file the NOI as an individual.
 - If the NOI is filed for a corporation, please include the entity number. According to the Department of Commerce the number for Jones Landscaping and Materials, Inc. is 7748751-0142.
 - J. Michelle Burraston is listed as a contact but no boxes are checked. Please check the boxes for notification. The title is surety company officer. Staff of the surety companies are not normally listed as contact persons because they have little to do with the business except to provide the surety.
 - The registered agent is the person identified as such with the Utah Department of Commerce. The registered agent listed with the Department of Commerce is Brad Dale Jones for Jones Landscaping and Materials, Inc.

- In Section I item 4, the operation is listed as both a sole proprietor and as a corporation. Please select either a corporation or a sole proprietor. If a corporation, use Jones Landscaping and Materials, Inc.; if a sole proprietor use Brad Jones.
- In Section I items 5 and 6, please list the BLM office that deals with the claims and the BLM claim numbers. The BLM office that most likely deals with these claims is the Fillmore office.
- In Section II item 1, the location is listed as Section 27 and 28 of Township 14 South and Range 10 West. However, the existing permit is for the Southeast $\frac{1}{4}$ of Section 28 Township 14 South and Range 10 West. If additional areas are to be included in the permit boundary, please identify.
- In Section II item 1, please list the quadrangle map in which the mine is located (USGS topographic map). The map is most likely the Drum Mountain, Well, Utah map.
- In Section III item 6, please list the length and width of any new roads that you plan to make. Leaving this portion of the NOI blank indicates you will not improve or construct any new roads.
- In Section II item 7 please list the length and width of any roads on the project that will be improved. According to the approved NOI the length of the existing improved roads is 400 feet long and 10 feet wide.
- In Section II item 8 please list the surface area that will be disturbed. According to a GPS survey conducted by the Division in 2007 the disturbed are is 1.55 acres.

The Division will assist you with filling out the NOI or answering any other questions you have about the permitting process. Please call Wayne Western at (801) 538-5263 for help on the permitting process. If you have questions regarding this letter, please contact me at (801) 538-5261.

Sincerely,

Paul Baker
Minerals Program Manager